IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPLICATION (LODG.) NO.85 OF 2003

Commissioner of Central Excise ..Applicant.

V/s.

M/s.Krone Trading Co. & Ors. ..Respondents.

Mrs.S.V.Bharucha for applicant.

Mr.P.K.Shetty with V.K. Jain for respondents.

CORAM : H.L.GOKHALE AND J.P.DEVADHAR, JJ.

DATED : 19TH OCTOBER, 2006.

P.C. :-

Heard Mrs.Bharucha in support of the motion. Mr.Shetty appears for respondents. After the matter was heard for some time, Mrs.Bharucha accepts that the question involved in this matter are concerning valuation and classification. That being so, proper remedy is to file an appeal before the Apex Court under section 35 H of the Central Excise Act. She, therefore, seeks liberty to withdraw this application with view to file an appeal.

Application allowed to be withdraw with liberty.

(H.L.GOKHALE, J.)

(J.P.DEVADHAR, J.)